

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 11:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Gene M. Gomes, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Lisa J. Prosser, Senior Deputy Clerk.

F049070 Luther R. v. The Superior Court Of Tulare County; Tulare Co. Health and Human Services Agency

Cause called and argued by Luther R., petitioner in propria persona and by Bryan C. Walters, Esq., Deputy County Counsel, counsel for real party.

Cause ordered submitted.

Court recessed until Tuesday, January 17, 2006 at 10:00 A.M.

F045944 People v. Black

The judgments and all aspects of, and underlying, the sentences imposed in case Nos. F01662603-0, F02670212-0 and F02670213-8, are reversed and vacated, and the matters remanded for trial. Harris, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045999 People v. Tucker

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F048136 People v. Desylva

The above-entitled case is submitted for decision.

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F048136 People v. Desylva

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046219 People v. Johnson

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F046240 People v. Morecraft

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

F046240 People v. Morecraft

The case is remanded solely for a limited resentencing with directions to stay the concurrent two-year midterm on the multiple-victim DUI pursuant to section 654, to issue an amended abstract of judgment, and send to each appropriate person a certified copy of the amended abstract of judgment. Morecraft has no right to be present at those proceedings. [Citation] Otherwise the judgment is affirmed. Gomes, J.

We concur: Vartabedian, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F047529 In re Breonne Tate on Habeas Corpus

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

IN THE
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F047529 In re Breonne Tate on Habeas Corpus

The trial court's order partially granting the writ of habeas corpus is affirmed. Gomes, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[CERTIFIED FOR PUBLICATION]